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PATENT

#9 5/7/99  
T. Gray

Attorney Docket No. 21511/90135

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                       |                         |   |                      |
|-----------------------|-------------------------|---|----------------------|
| In re Application of: | Radosevich.             | ) |                      |
|                       |                         | ) |                      |
| Serial No.            | 09/040,485              | ) | Examiner: T. Worrall |
|                       |                         | ) |                      |
| Filed:                | March 17, 1998          | ) |                      |
|                       |                         | ) | Group: 1642          |
| For:                  | A GENE ENCODING A NOVEL | ) |                      |
|                       | MARKER FOR CANCER       | ) |                      |

Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT AND RESPONSE TO THE  
RESTRICTION/ELECTION REQUIREMENT MAILED March 18, 1999**

In response to the Office Action mailed March 18, 1999, Applicant elects to prosecute Group II, claims 6, 7, 9-11 and 17-18 without traverse. Applicant reserves the right to prosecute other groups in continuing applications.

As the examiner requires, the first amino acid sequence species elected to be prosecuted is that encoded by the cDNA of claim 1 (FIG. 1).

No fee is thought due in this matter at this time. However, the Commissioner is hereby authorized to charge the Barnes & Thornburg Deposit Account No. 10-0435 for any deficiencies, or credit any overpayments, as the case may be.

Respectfully submitted,

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April 19, 1999